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## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL KINZEL,

Defendant.

CASE NO. 2:22-cr-00187-LK

FINAL ORDER OF FORFEITURE AS TO FOUR SUBJECT **FIREARMS** 

This matter comes before the Court on the Government's Motion for a Final Order of Forfeiture, Dkt. No. 105, seeking to forfeit to the United States Defendant Michael Kinzel's interest in the following firearms, and any associated ammunition, magazines, and accessories, seized on or about October 25, 2022, from a black BMW 550i bearing Washington license plate BXU7216, located at 12602 SE Petrovitsky Road, Renton, Washington (the "Four Subject Firearms"):

- 1. One Heckler and Koch P30L .40 caliber pistol, bearing serial number 221-003199;
- 2. One Glock GMBH model 27, .40 caliber pistol, bearing serial number EUK370US;

- 3. One Keltec CNC Industries Inc. model KSG, 12 caliber shotgun, bearing serial number XXB05; and
- 4. One Glock 42, .380 caliber pistol, bearing serial number AFAC037.

The Court, having reviewed the Government's Motion, as well as the other papers and pleadings filed in this matter, hereby finds that entry of a Final Order of Forfeiture is appropriate for the following reasons:

- On February 7, 2024, the Court entered a Preliminary Order of Forfeiture finding the Four Subject Firearms, a Ruger LCP II .22 caliber pistol (the "Ruger LCP II") and other property forfeitable pursuant to 21 U.S.C. § 853(a) as property that facilitated or constitutes proceeds of Mr. Kinzel's commission of Possession with the Intent to Distribute Controlled Substances. Dkt. No. 64 at 1–3.
- Thereafter, the United States published notice of the pending forfeiture as required by 21 U.S.C. § 853(n)(1) and Federal Rule of Criminal Procedure 32.2(b)(6)(C), Dkt. No. 67, and provided direct notice to 10 potential claimants as required by Federal Rule of Criminal Procedure 32.2(b)(6)(A), see Dkt. No. 93 at 1–3.
- On October 22, 2024, the Court entered a Final Order of Forfeiture, *see* Dkt. No. 98; that Order did not address the Four Subject Firearms or the Ruger LCP II because ancillary proceedings to resolve a third-party claim were ongoing at the time, *id.* at n.1. The Court had authorized discovery on the third-party claim to the Ruger LCP II, dismissed the third-party claimant's (Andre'a Gonzales) deficient claim as to the Four Subject Firearms, and provided her until October 31, 2024 to file a second amended petition as to the Four Subject Firearms. *Id.*; Dkt. Nos. 88, 97.

1	Ms. Gonzales did not file a second amended petition as to the Four Subject Firearms.
2	She informed the Government that the only firearm she planned to continue pursuing
3	was the Ruger LCP II. Dkt. No. 106 at 1–2, 24.
4	No other third-party claims have been filed as to the Four Subject Firearms, and the
5	relevant periods for doing so have expired.
6	Now, therefore, the Court ORDERS the following:
7	1. No right, title, or interest in the Four Subject Firearms exists in any party other than
8	the United States;
9	2. The Four Subject Firearms are fully and finally condemned and forfeited, in their
10	entirety, to the United States;
11	3. The United States Department of Justice, Federal Bureau of Investigation, and/or
12	their representatives, are authorized to dispose of the Four Subject Firearms in
13	accordance with the law; and
14	4. The Court will retain jurisdiction for the purpose of enforcing the Final Order of
15	Forfeiture as necessary pursuant to Federal Rule of Criminal Procedure 32.2(e).
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17	IT IS SO ORDERED.
18	Dated this 1st day of April, 2025.
19	Lauren Vin
20	Lauren King United States District Judge
21	Office States District stage
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